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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/456,900	12/08/1999	ALEXANDRE HENON	PHA-23.870	7059

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CORPORATE PATENT COUNSEL
U S PHILIPS CORPORATION
580 WHITE PLAINS ROAD
TARRYTOWN, NY 10591

EXAMINER

NGUYEN, THUAN T

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 10/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

1/15

Office Action Summary

Application No.
09/456,900

Applicant(s)
Henon

Examiner
Thuan Nguyen

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2684



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-7 and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen et al (U.S. Patent No. 5,390,233/ or "Jensen") in view of Johansson (US Patent 5,913,163) and McGraw et al. (US Patent No. 5,825,864/ or "McGraw" hereinafter).

Regarding claim 1, Jensen discloses a method of transferring an in-progress telephone call between a wireless device and a wired device (Jensen, col. 1/lines 62-68), comprising:

establishing a (short-range) wireless communication link directly between the wireless device and wired devices, i.e., the wireless communication between a wireless device or a mobile

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cellular phone (Jensen, Fig. 1/items 12, 14, 16, 18, 20 & 22) and wired devices (Jensen, Fig. 1/items 32, 34 ...36) via wireless communication link (represented by arrows in Jensen, Fig. 1) via base station 28 or 30 and wireless network controller 38 (see Jensen, Fig. 1 and col. 2/line 35 to col. 3/line 46 for more details).

Jensen does not clearly mention to provide a "short-range" wireless communication link directly between the wireless device and the wired devices; however, such a technique of establishing a short-range wireless communication directly between a wireless (telephone) device to a wired (telephone) device is taught by Johansson as Johansson, in the same filed of endeavor, teaches an exact same technique of establishing a short-range wireless connection directly between a wireless (telephone) device and a fixed cellular terminal as Johansson discloses that the wireless device 240 can directly establish wireless radio frequency transmission, i.e., short-range communication, to either a locally extension device 220 (via locally communication link 310) or to a fixed wireless cellular terminal 210 via short-range communication link 330 (Johansson, Fig. 3, col. 6/lines 7-53 & col. 5/lines 27-35 for the device 210 uses short-range wireless communication link). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jensen's in-progress call transferring technique among wireless devices and wired devices with Johansson's teaching technique of using "short-range wireless communications" among devices as disclosed in order to provide an enhanced method of transferring in-progress calls between a wireless device and a wired device as preferred. The motivation for applying "short-range wireless communications" among devices either wired or

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wireless is to provide quick accesses, improved configurations and less expensive of costs involving many components of wireless cellular systems as suggested by Johansson (col. 3/lines 25-60).

Then, the step of “at the wireless device, receiving an identifier that has been transmitted from the wired device to the wireless device over the direct wireless communication link” is disclosed by Jensen as the calling line identification regarding as an identifier is transmitted to the wireless device from the wired receiver (Jensen, col. 5/line 55 to col. 6/line 9).

Jensen and Johansson do not further clearly reveal the step of “at the wireless device, transmitting the identifier together with a call transfer request to enable the telephone call to be transferred to the wired device” as claimed; however, in the same field of endeavor for transferring calls, McGraw teaches a same technique for automatically recognizing the identifier at the wireless device and then establishing a call transfer request from the wireless device to a wired (telephone) device (McGraw, col. 2/line 44 to col. 3/line 18; and Fig. 2b, col. 5/lines 23-46). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jensen and Johansson’s disclosed technique with McGraw’s teaching technique in routing calls in order to obtain an enhanced system that can offer or provide call transferring requests to a wireline telephone as desired.

As for claim 2, in further view of claim 1 above, Johansson further mentions the step of “wherein the short-range wireless communication link conforms to a given radio frequency (RF)

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protocol”, i.e., radio frequency transmission is addressed in conforming to AMPS or GSM protocol (Johansson, col. 6/lines 25-53).

As for claim 3, in further view of claim 2 above, Johansson further suggests the step of “wherein the given RF protocol is Bluetooth”, i.e., the short-range communication link is well-known for Bluetooth (Johansson, col. 5/lines 25-35 & col. 6/lines 25-53).

As for claim 4, in further view of claim 1 above, Johansson further reveals the step of “wherein the short-range wireless communication link is an infrared link”, infrared transmission is addressed using local interface module (Johansson, col. 3/lines 51-60).

As for claim 5, in further view of claim 1 above, Jensen discloses the step of “comprising: at the wireless device, transmitting a request message to the wired device requesting transmission of the identifier”, i.e., the identification of the wired device is automatically transmitted to the wireless device by the calling line identification receiver (Jensen, col. 5/line 55 to col. 6/line 9).

As for claim 6, in further view of claim 1 above, Jensen further reveals the step of “comprising: in a network, receiving the identifier and the call transfer request transmitted from the wireless device; and re-routing the in-progress call to the wired device”, i.e., at the network, the call transfer request is examined and authorized based on the identifier and the associated support by wireline telephone device, the request communication is granted afterward, and the re-routing in-progress call to the wired device is established (Jensen, col. 1/lines 62-68 & col. 6/lines 35-68).

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As for claim 7, in further view of claim 1, McGraw further suggests the step of “wherein the identifier is a telephone number of the wired telephone”, i.e., McGraw shows the step of automatically recognizing the identifier at the wireless device and then establishing a call transfer request from the wireless device to a wired (telephone) device (McGraw, col. 2/line 44 to col. 3/line 18; and Fig. 2b, col. 5/lines 23-46) wherein the identifier is a telephone number of the wired telephone (McGraw, col. 4/lines 22-59 as home receiver 2 of Fig. 1 is a wired phone).

Regarding claim 14, in view of claim 1 and the Examiner’s statement for motivation to combine above, the combination of Jensen, Johansson and McGraw (as explained above) teaches a communications system (Jensen, Fig. 1 and col. 2/lines 35-48), comprising:

- a wireless device having a transceiver, i.e., a wireless device showing a transmitter component and a receiver component (McGraw, Figs 2a & 2b, and col. 5/lines 6-46);

- a wireline device having the transceiver, i.e., a fixed cellular terminal regarding as a fixed wireline device including a transceiver (Johansson, Fig. 3 and col. 6/lines 7-53);

- a short-range wireless communications link over which the wireless and wireline devices communicate using their respective transceivers, i.e, Johansson shows the step of establishing a short-range wireless connection between a wireless (telephone) device and a fixed cellular terminal as Johansson discloses that the wireless device 240 can directly establish wireless radio frequency transmission, i.e., short-range communication, to either a locally extension device 220 (via locally communication link 310) or to a fixed wireless cellular terminal 210 via short-range

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communication link 330 (Johansson, Fig. 3, col. 6/lines 7-53 & col. 5/lines 27-35 for the device 210 uses short-range wireless communication link); and

means operative in the wireless device for transferring an in-progress telephone call from the wireless device to the wireline device, i.e., McGraw teaches the step of automatically recognizing the identifier at the wireless device and then establishing a call transfer request from the wireless device to a wired (telephone) device (McGraw, col. 2/line 44 to col. 3/line 18; and Fig. 2b, col. 5/lines 23-46).

As for claim 15, in further view of claim 14 above, Jensen reveals the step of “wherein the means for transferring comprises: means for transmitting a request message to the wired device over the direct wireless communications link requesting transmission of an identifier”, i.e., the identification of the wired device is automatically transmitted to the wireless device by the calling line identification receiver (Jensen, col. 5/line 55 to col. 6/line 9); and the steps of “means for receiving the identifier transmitted from the wired device to the wireless device over the direct wireless communications link; and means for transmitting the identifier together with a call transfer request to a network device to re-route the in-progress telephone call” are taught by McGraw as McGraw teaches a technique for automatically recognizing the identifier at the wireless device and then establishing a call transfer request from the wireless device to a wired (telephone) device (McGraw, col. 2/line 44 to col. 3/line 18; and Fig. 2b, col. 5/lines 23-46).

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As for claims 16 and 17, in further view of claim 14 above, the steps of “wherein each of the transceivers is provisioned according to a given RF protocol” and “wherein the given RF protocol is Bluetooth” is revealed by Johansson (see claims 2 & 3 above).

Regarding claim 18, in view of claim 1 and the Examiner’s statement for motivation to combine above, the combination of Jensen, Johansson and McGraw (as explained above) teaches a wireless device (McGraw, Fig. 1/transmitter 1), comprising: a processor (McGraw, Fig. 2b); a short-range wireless transceiver; memory coupled to the processor (McGraw, Fig. 2a & 2b with a memory coupled to the processor), tangibly embodying a program of instructions executable by the processor for transferring an in-progress telephone call from the wireless device to a selected wireline device, i.e., McGraw teaches the step of automatically recognizing the identifier at the wireless device and then establishing a call transfer request from the wireless device to a wired (telephone) device (McGraw, col. 2/line 44 to col. 3/line 18; and Fig. 2b, col. 5/lines 23-46), by the following method: controlling the short-range wireless transceiver to transmit a request message directly to the wired device over a short-range communications link requesting transmission of an identifier; controlling the short-range wireless transceiver to receive the identifier transmitted from the wired device directly to the wireless device over the short-range wireless communications link; and transmitting the identifier together with a call transfer request to a given network device to request re-routing of the in-progress telephone call, i.e., the method for short-range wireless communication is already discussed in claim 1 above with the teaching of

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Johansson (col. 6/lines 7-53) with identifier and call transfer request method from McGraw (McGraw, col. 2/line 44 to col. 3/line 18; and Fig. 2b, col. 5/lines 23-46).

Regarding claim 19, in view of claim 1 and the Examiner's statement for motivation to combine above, the combination of Jensen, Johansson and McGraw (as explained above) teaches a wireline device comprising: a processor, i.e., a control unit (Johansson, Fig. 9E/item 860); a short-range wireless transceiver; memory coupled to the processor, tangibly embodying a program of instructions executable by the processor for receiving a transfer of an in-progress telephone call from the wireless device by the following method steps: controlling the short-range wireless transceiver to receive a request message transmitted directly from the wireless device over a short-range wireless communications link requesting transmission of an identifier; and controlling the short-range wireless transceiver to transmit the identifier directly to the wireless device over the short-range wireless communications link (as already discussed in claim 18 above).

4. Claims 8, and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen et al (U.S. Patent No. 5,390,233/ or "Jensen") in view of McGraw et al. (US Patent No. 5,825,864/ or "McGraw" hereinafter).

Regarding claim 8, Jensen discloses a method of transferring an in-progress telephone call between a wireless device and a wired device (Jensen, col. 1/lines 62-68), comprising:

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establishing a first wireless communication link directly between the wireless and wired devices when the devices are in physical proximity to each other, i.e., a first communication link between a wireless device or a mobile cellular phone (Jensen, Fig. 1/items 12, 14, 16, 18, 20 & 22) and wired devices (Jensen, Fig. 1/items 32, 34 ...36) via wireless communication link (represented by arrows in Jensen, Fig. 1) via base station 28 or 30 and wireless network controller 38 (see Jensen, Fig. 1 and col. 2/line 35 to col. 3/line 46 for more details);

at the wireless device, transmitting a request message to the wired device over the first direct wireless communication link requesting transmission of an identifier, i.e., the identification of the wired device is automatically transmitted to the wireless device by the calling line identification receiver (Jensen, col. 5/line 55 to col. 6/line 9).

at the wireless device, receiving the identifier that has been transmitted from the wired device to the wireless device over the first direct wireless communication link, i.e., Jensen reveals the calling line identification regarding as an identifier is transmitted to the wireless device from the wired receiver (Jensen, col. 5/line 55 to col. 6/line 9).

Jensen does not further clearly reveal the step of "at the wireless device, transmitting the identifier together with a call transfer request to a network device over a second communication link" as claimed; however, in the same field of endeavor for transferring calls, McGraw teaches a same technique for automatically recognizing the identifier at the wireless device and then establishing a call transfer request from the wireless device to a network device over a second communication such as to a wired (telephone) device (McGraw, col. 2/line 44 to col. 3/line 18;

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and Fig. 2b, col. 5/lines 23-46). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jensen's disclosed technique with McGraw's teaching technique in routing calls in order to obtain an enhanced system that can offer or provide call transferring requests to a wireline telephone as desired. Furthermore, Jensen reveals the step of "at the network device, receiving the identifier together with the call transfer request and re-routing the in-progress call to the wired device", i.e., at the network, the call transfer request is examined and authorized based on the identifier and the associated support by wireline telephone device, the request communication is granted afterward, and the re-routing in-progress call to the wired device is established (Jensen, col. 1/lines 62-68 & col. 6/lines 35-68).

As for claim 12, in further view of claim 8 above, Jensen further suggests the step of "comprising disconnecting the wireless device from the in-progress telephone call following re-routing", i.e., as the user switches to receive the in-progress call re-routing to the wired device, the wireless device is to be disconnected or dropped (Jensen, col. 7/lines 29-65).

As for claim 13, in further view of claim 8 above, Jensen further reveals the step of "comprising: having a user of the wireless device initiate the establishing of the first communication link by entering given control commands in the wireless device", i.e., a request for service via the first communication link is established by the wireless device with entering control commands such as dialing a telephone number on the touch-tone pad (col. 7/lines 1-28).

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5. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen et al (U.S. Patent No. 5,390,233/ or "Jensen") in view of McGraw et al. (US Patent No. 5,825,864/ or "McGraw" hereinafter) and Johansson (US Patent 5,913,163).

Regarding claims 9 and 10, in further view of claim 8 above, Jensen and McGraw do not clearly mention the step of "wherein the first direct wireless communication link is a short-range wireless radio communication link" and "wherein the first direct wireless communication link is a short-range wireless infrared communication link"; however, in the same filed of endeavor, Johansson teaches an exact same technique of establishing a short-range wireless connection directly between a wireless (telephone) device and a fixed cellular terminal as Johansson discloses that the wireless device 240 can directly establish wireless radio frequency transmission, i.e., short-range communication, to either a locally extension device 220 (via locally communication link 310) or to a fixed wireless cellular terminal 210 via short-range communication link 330 (Johansson, Fig. 3, col. 6/lines 7-53 & col. 5/lines 27-35 for the device 210 uses short-range wireless communication link). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined Jensen and McGraw's in-progress call transferring technique among wireless devices and wired devices with Johansson's teaching technique of using "short-range wireless communications" directly among devices as disclosed in order to provide an enhanced method of transferring in-progress calls between a wireless device and a wired device directly as preferred. The motivation for applying "short-range wireless communications" directly among devices either wired or wireless is to provide quick

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accesses, improved configurations and less expensive of costs involving many components of wireless cellular systems as suggested by Johansson (see claim 1 above).

As for claim 11, in further view of claim 8 above, McGraw discloses the step of “wherein the identifier is a telephone number of the wired device” as McGraw shows the step of automatically recognizing the identifier at the wireless device and then establishing a call transfer request from the wireless device to a wired (telephone) device (McGraw, col. 2/line 44 to col. 3/line 18; and Fig. 2b, col. 5/lines 23-46) wherein the identifier is a telephone number of the wired telephone (McGraw, col. 4/lines 22-59 as home receiver 2 of Fig. 1 is a wired phone).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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7. **Any response to this action should be mailed to:**
Commissioner of Patents and Trademarks
Washington, D.C. 20231

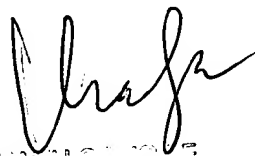
or faxed to:
(703) 872-9314, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (703) 308-5860. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Hunter, can be reached at (703) 308-6732.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.


01/21/02
602600

Tony T. Nguyen
Art Unit 2684
October 13, 2002